

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COOS BAY DISTRICT RESOURCE ADVISORY COMMITTEE
IN THE STATE OF OREGON**

CHARTER

1. OFFICIAL DESIGNATION:

The official designation for the Resource Advisory Committee established pursuant to this Charter is the Coos Bay District Resource Advisory Committee (Committee).

2. OBJECTIVES AND SCOPE:

The objectives of the Committee are to improve collaborative relationships between the Bureau of Land Management (BLM) and local communities, and provide advice and recommendations to the Secretary of the Interior (Secretary) or the Secretary's designee(s) consistent with the provisions of the Secure Rural Schools and Community Self-Determination Act of 2000 (Act), P.L. 106-393. The geographic scope of the jurisdiction of the Committee is the area within the State of Oregon encompassed by the boundaries of the BLM Coos Bay District and such areas outside those boundaries upon which projects might be undertaken consistent with Section 202 of the Act where projects would benefit resources within the boundaries of the BLM Coos Bay District.

3. PERIOD OF TIME NECESSARY FOR COMMITTEE ACTIVITIES:

Since its functions are related to implementation of the Act within the areas of jurisdiction described above in number 2, the need for the Committee is expected to continue until September 30, 2006. However, continuation of the Committee will be subject to periodic review and rechartering every 2 years as required by Section 14(b) of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix.

4. OFFICIAL TO WHOM THE COMMITTEE REPORTS:

The Designated Federal Officer (DFO) to whom the Committee reports shall be the District Manager or the District Manager's designee.

5. ADMINISTRATIVE SUPPORT:

Administrative support for the activities of the Committee will be provided by the office of the DFO for the Committee. A DFO may contract with nonfederal sources for the provision of administrative support or may use Federal employees under the DFO's jurisdiction.

6. DUTIES OF THE COMMITTEE:

The Committee shall:

- a. review projects proposed for Committee consideration under Title II of the Act;
- b. propose projects and sources of funding to the Secretary under Section 203 of the Act;
- c. provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with the purposes of the Act; and
- d. provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully beginning at the early stages of the project development process under Title II of the Act.

7. COMMITTEE COMPOSITION:

The Committee shall be comprised of 15 members who are representative of the interests of the following three categories, plus two additional persons representative of the interests of each category to serve as alternates:

- a. Five persons, plus two alternates who:
 - (i) represent organized labor;
 - (ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;
 - (iii) represent energy and mineral development interests;
 - (iv) represent the commercial timber industry; or
 - (v) hold Federal grazing permits, or other land permits within the area for which the committee is organized.
- b. Five persons, plus two alternates representing:
 - (i) nationally recognized environmental organizations;
 - (ii) regionally or locally recognized environmental organizations;
 - (iii) dispersed recreational activities;

- (iv) archaeological and historical interests; or
- (v) nationally or regionally recognized wild horse and burro interest groups.

c. Five persons, plus two alternates who:

- (i) hold State elected office or their designee;
- (ii) hold county or local elected office;
- (iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;
- (iv) are school officials or teachers; or
- (v) represent the affected public-at-large.

8. BALANCED REPRESENTATION:

In appointing Committee members from the three categories described in number 7, the Secretary shall provide for balanced and broad representation from within each category.

9. GEOGRAPHIC DISTRIBUTION:

The members of the Committee shall reside within the State of Oregon, and, to the extent practicable, the Secretary shall ensure local representation in each category described in number 7 by selecting members for the Committee from among persons living within the Coos Bay District boundary, which includes Coos, Curry, Douglas, and Lane Counties.

10. MEMBER QUALIFICATION, SELECTION, AND SERVICE:

- a. Persons who are appointed to the Committee serve at the pleasure of the Secretary. To be eligible for appointment, a person must be qualified through education, training, knowledge, or experience to give informed and objective advice regarding an industry, discipline, or interest specified in this Charter; have demonstrated experience or knowledge of the geographical area under the jurisdiction of the Committee; and have demonstrated a commitment to collaborative decision making and consensus building when confronted with contentious issues.
- b. Committee members will be appointed to serve 3-year terms.
- c. The term of a Committee member who has been appointed on the basis of his or her status as

an elected official will end upon the member's departure from elective office. When this situation occurs, the member will be replaced by another elected official. At the Secretary's discretion, the former elected official may be permitted to complete his or her same term in another vacant position on the Committee, provided that the member is qualified to represent the category represented by the vacant position.

- d. The Secretary or the DFO may, after written notice, terminate the service of a member if, in the judgment of the Secretary or the DFO, removal is in the public interest, or the member no longer qualifies in the category of interest for which he or she was appointed. Members may also be terminated if they fail or are unable to participate regularly in Committee work; or have violated Federal law or the regulations of the Secretary. When a member fails to regularly attend meetings, the DFO will inform the member, in writing, that his or her service on the Committee could be terminated. When any member fails to attend two consecutive meetings, without good cause, the DFO or his/her designee may deem that member's position on the Committee to have been vacated. Upon such determination, the DFO will inform the member, in writing, that his or her service on the Committee is terminated.
- e. Vacancies occurring for any reason, including resignation, death, moving out of the State of Oregon, failure to regularly attend Committee meetings, or Secretarial removal will be filled by the Secretary for the balance of the term. Vacancies will be promptly reported to the DFO and the Secretary. Vacancies will be filled by the alternates for the category for which a Committee position is vacant. Vacant alternate positions will be filled using the same process for soliciting candidate nominations followed by Secretarial appointment that was used initially to fill the Committee membership.
- f. At the discretion of the Secretary, Committee members may be reappointed to consecutive 3-year terms.
- g. A Committee member may serve concurrently on more than one committee organized under the Act.
- h. Committee members serve without monetary compensation, but will be reimbursed for travel and per diem expenses when on Committee business, as authorized by 5 U.S.C. 5703.

11. CHAIRPERSON AND ALTERNATES:

A majority of the members of the Committee shall elect the Chairperson of the Committee, and such other officers as the majority deem necessary, to serve until replaced in a subsequent election. Election of the Chairperson and other officers will occur annually, at the first meeting of the Committee during the calendar year. A majority of the members of the Committee will also designate first and second alternates for each category described in number 7 from among the alternates chosen for the Committee by the Secretary. The role of an alternate will be to fill vacancies on the Committee that occur in accordance with number 10.

12. ETHICS RESPONSIBILITIES OF MEMBERS:

- a. A member may not participate in matters that will directly affect, or appear to affect, the financial interests of the member or the member's spouse or minor children. Compensation from employment does not constitute a financial interest of the member so long as the matter before the Coos Bay District Resource Advisory Committee will not have a special or distinct effect on the member or the member's employer, other than as part of a class. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject, including those in b., below.
- b. As provided in 43 CFR Sec. 1784.2-2, members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the BLM, or in any litigation related thereto. No Committee or subcommittee member shall participate in any matter in which the member has a direct interest.

13. APPROVAL PROCEDURES:

- a. A quorum consisting of a majority of Committee members must be present to constitute an official Committee meeting. Projects may not be recommended to the Secretary by the Committee unless approved by at least three Committee members from each of the three categories described in number 7 above.
- b. If a majority of the members of the Committee from each of the three categories described in number 7 approve a project, that project may be recommended by the Committee to the Secretary. The Committee shall also recommend sources of funding for each project recommended to the Secretary. The Committee may recommend funding for a project from any account maintained for a county in the U.S. Treasury pursuant to Section 103(c)(2)(A) if the county has allocated funds to such account pursuant to Section 103(c)(1)(B)(i) for the Committee's use, provided that the Committee may not recommend funding from a county's account for a project if the majority of the governing body of the county objects to the use of its funds for the project in question. Objections by a county to the use of funds in its account

in the U.S. Treasury shall not bar the Committee from recommending a project to the Secretary if sufficient funds are available for the project from the accounts of non-objecting counties or from other sources.

- c. All projects must be submitted to the Committee for its consideration prior to June 1 of any Federal fiscal year to be considered for approval by the Committee during that Federal fiscal year. The Committee shall complete its review of projects and transmit its recommendations on those projects the Committee approves to the DFO on or before September 1. The Committee is encouraged to identify the order of priority it gives to the projects it recommends. The Committee shall approve and transmit to the DFO a sufficient number of projects that, if approved by the Secretary, would result in the obligation of at least the full amount of the Title II project funds reserved by counties within the jurisdiction of the Committee in the preceding fiscal year.
- d. Participating counties or other persons may propose to pool funds reserved by an eligible county for expenditure pursuant to Title II of the Act with funds from other sources and jointly propose a project or group of projects to a Committee.
- e. The first meeting of the Committee will be held at a location selected by the DFO. All subsequent meetings of the Committee will be held at locations decided by the majority of the members of the Committee. The Committee, to the extent practicable, should rotate meeting locations among counties which have lands within the jurisdiction of the Committee.

14. SUBMISSION OF PROJECT PROPOSALS TO THE SECRETARY:

- e. **PROJECTS FUNDED USING TITLE II FUNDS** – Not later than September 30 for Fiscal Year 2001, and each September 30 thereafter for each succeeding fiscal year through Fiscal Year 2006, the DFO for the Committee shall submit to the Secretary a description of any projects that the Committee recommends the Secretary undertake using any project funds reserved by eligible counties for expenditure pursuant to Title II of the Act in the area in which the Committee has geographic jurisdiction. The Committee may recommend projects funded solely with Title II funds or funded with Title II funds in conjunction with other sources of funding, including appropriated funds and State, local or private funds.
- f. **PROJECTS FUNDED USING OTHER FUNDS** – The DFO for the Committee shall submit to the Secretary a description of any projects that the Committee recommends the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds reserved by an eligible county for expenditure pursuant to Title II of the Act and funds appropriated and otherwise available to do similar work.

15. REQUIRED DESCRIPTION OF PROJECTS:

In submitting recommended projects to the Secretary under number 12, the DFO on behalf of the

Committee shall include in the description of each recommended project the following information:

- a. The purpose of the project and a description of how the project will meet the purposes of the Act.
- b. The anticipated duration of the project.
- c. The anticipated cost of the project.
- d. The proposed source of funding for the project, whether project funds reserved by a county for expenditure pursuant to Title II of the Act or other funds.
- e. Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives, as well as an estimation of the amount of any timber, forage, and other commodities and economic activity, including jobs generated, if any, or anticipated as part of the project.
- f. A detailed monitoring plan, including funding needs and sources, that tracks and identifies the positive or negative impacts of the project, implementation, and provides for validation monitoring. The monitoring plan shall include an assessment of the following: (1) whether or not the project met or exceeded desired ecological conditions; (2) created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate; and (3) whether the project improved the use of, or added value to, any products removed from lands consistent with the purposes of the Act.
- g. An assessment that the project is to be in the public interest.

16. AUTHORIZED PROJECTS:

Projects approved by the Committee and recommended to the Secretary shall be consistent with the purposes set forth in Section 2(b) of the Act.

17. STAFF ASSISTANCE:

The Committee may submit to its DFO or to the Secretary a request for periodic staff assistance from Federal employees under the jurisdiction of the DFO or the Secretary.

18. MEETINGS:

- a. The Committee shall meet at the call of the DFO. All meetings of the Committee must be attended by the DFO or a representative. All Committee meetings will be open to the general

- (iv) archaeological and historical interests; or
- (v) nationally or regionally recognized wild horse and burro interest groups.

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Projects approved by the Committee and recommended to the Secretary shall be consistent with the purposes set forth in Section 2(b) of the Act.

17. STAFF ASSISTANCE:

The Committee may submit to its DFO or to the Secretary a request for periodic staff assistance from Federal employees under the jurisdiction of the DFO or the Secretary.

18. MEETINGS:

- a. The Committee shall meet at the call of the DFO. All meetings of the Committee must be attended by the DFO or a representative. All Committee meetings will be open to the general

public and representatives of the news media. Any organization, association or individual may file a statement with or appear before the Committee regarding topics on the meeting agenda, except that the DFO may require that presentations be reduced to writing and copies be filed with the Committee, and may limit the time, if any, made available for oral comments or presentations.

- b. A notice of each meeting of the Committee must be published in the Federal Register and distributed to the news media serving the jurisdictional area of the Committee 30 days in advance of such meeting. However, if circumstances make a 30-day notice impracticable, not less than a 15-day notice will suffice. The notice will set forth clearly and precisely the issues or topics to be discussed and will provide specific times and places for the public to be heard. If it becomes necessary to postpone or cancel an announced meeting, a subsequent notice will be published in the Federal Register and distributed to the news media serving the jurisdictional area as early as possible, explaining the reason(s) for the postponement or cancellation.
- c. A Committee meeting agenda will be approved in advance by the DFO.
- d. The Committee will normally meet from two to five times annually, but in no case less than once. Additional meetings may be called by the Chairperson of a Committee.
- e. Regular Committee business activities will be conducted using Robert's Rules of Order for internal administration.

19. FIELD TRIPS:

The Committee may conduct field trips or other field examinations for its members to aid in their review and evaluation of proposed projects or to examine resources or resource related activities.

20. COMMITTEE RECORDS:

Minutes of each Committee meeting will be kept and will contain a record of the persons present; a complete and accurate description of matters discussed and conclusions reached; and copies of all documents received, issued or approved by the Committee. The accuracy of all minutes will be certified by the Committee Chairperson. Copies of the minutes will be maintained in the office of the DFO, and will be available for public inspection and copying during regular business hours.

21. ESTIMATED OPERATING COSTS:

Annual activities of the Committee will require an estimated \$25,000, including 6 work months of Federal employee support. Committee funding will be provided by the BLM.

22. TERMINATION DATE:

The Committee will terminate on September 30, 2006. Additionally, the Committee's Charter will expire 2 years from the date the Charter is filed, unless prior to that date, it is rechartered by the Secretary in accordance with the provisions of Sections 14(b) of FACA, 5 U.S.C. Appendix. The Committee shall not meet or perform any functions without a valid current Charter.

23. AUTHORITY:

P.L. 106-393, the Secure Rural Schools and Community Self-Determination Act of 2000.

/s/ Gale A. Norton
SECRETARY OF THE INTERIOR

Dec. 22, 2003
Date Signed

Dec. 22, 2003
Date Charter Filed